

AMENDED NO. 38357
**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JUN 18 1979
Returned to applicant for correction NOV 2 1979
Corrected application filed DEC 21 1979
Map filed DEC 21 1979

The applicant **Effie M. Gergen**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **2.7** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **160**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **Being in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 35, T.7N., R.50E M.D. MER from which the NW cor of said section 35 bears N. 45°21'W a distance of 3806.4 feet**
6. Place of Use **SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, all in section 35 T.7N., R50E M.D. MER**
7. Use will begin about **Jan 1** and end about **Dec 31**, of each year.
8. Description of proposed works **16" well 250' deep turbine pump, 100 H.P. motor & center sprinkler pivot system E**
9. Estimated cost of works **\$35,000.00**
10. Estimated time required to construct works **3 yrs.**
11. Estimated time required to complete the application of water to beneficial use **5 yrs.**
12. Remarks:

**By s/Arnold C. Wood
P.O. Box 238
Ely, Nev. 89301**

Compared cl/bk

Protested _____

38357

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the applicant has failed to submit the statutory permit fees.

Work must be prosecuted with reasonable diligence and be completed on or before: _____

Proof of completion of work shall be filed before: _____

Application of water to beneficial use shall be filed on or before: _____

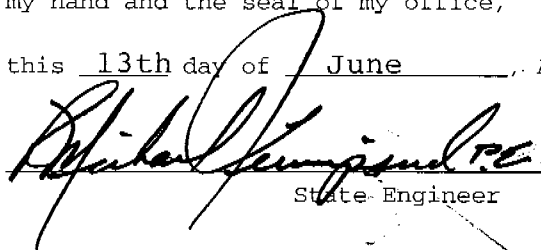
Proof of the application of water to beneficial use shall be filed on or before: _____

Map in support of proof of beneficial use shall be filed on or before: _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 13th day of June, A.D. 2000


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Rescinded Denial

AMENDED

Nº 38357

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 18 1979

Returned to applicant for correction NOV 2 1979

Corrected application filed DEC 21 1979

Map filed DEC 21 1979 under 38356

The applicant Effie M. Gergen

370 Parker Ave, of Ely
Street and No. or P.O. Box No. City or Town

Nevada 89301, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground
Name of stream, lake or other source.

2. The amount of water applied for is 2.7 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 160

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: being in the NW¼ SE¼ Sec 35,

T.7N., R50E M.D. Mer from which the NW cor of said Section 35 bears N.45° 21'W
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

a distance of 3806.4 feet
it should be stated.

6. Place of use SE¼ NW¼, NE¼ SW¼, SW¼ NE¼,
Describe by legal subdivision, if on unsurveyed land it should be so stated.

NW¼ SE¼, all in Section 35 T.7N., R50E M.D. Mer

7. Use will begin about Jan 1 and end about Dec 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) 16" well 250' deep turbine pump, 100 H.P.,

motor & center sprinkler pivot system E

State, manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works \$35,000.00
- 10. Estimated time required to construct works 3 yrs.
- 11. Estimated time required to complete the application to beneficial use 5 yrs.
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Effie M. Gergen

By s/Arnold C. Wood
P.O. Box 238
Ely, Nev. 89301

Compared ja/bl

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ^{deny}~~grant~~ the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 31st day of January
A.D. 1989
Peter G. Morros
State Engineer

Rescinded Denial Ruling #3770 12/24/90